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8 **NICHOLE BALLESTEROS**

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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 **NICHOLE BALLESTEROS**, an individual,
14 **Plaintiff,**
15 vs.
16 **USAA CASUALTY INSURANCE COMPANY**, a
17 Texas Corporation,
18 **Defendant.**

Case No.: 2:19-cv-01698-JAD-VCF
STIPULATION AND ORDER TO
EXTEND DISCOVERY DEADLINES
(FIRST REQUEST)

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20 Pursuant to LR 6-1, 6-2, 7-1, and 26-4, Plaintiff Nichole Ballesteros ("Plaintiff" or
21 "Ballesteros"), by and through her attorneys of records, Joseph N. Mott and Scott E. Lundy of
22 Rempfer Mott Lundy, PLLC, and Defendant USAA Casualty Insurance Company, by and through
23 its attorneys of record, Robert W. Freeman and Priscilla L. O'Briant of Lewis Brisbois Bisgaard &
24 Smith, LLP, hereby stipulate and agree to extend the discovery cutoff date and related deadlines
25 by 90 days. This is the parties' first request for such an extension.

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1 **A. Discovery Completed To Date**

2 To date, the following discovery has been completed:

- 3 1. The parties have exchanged initial disclosures;
- 4 2. Plaintiff has propounded written discovery; and
- 5 3. The parties have begun exchanging dates of availability for fact witness
- 6 depositions.

7 **B. Remaining Discovery To Be Completed**

8 The following discovery remains to be completed:

- 9 1. Expert disclosures;
- 10 2. Depositions of key fact witnesses, including Defendant's FRCP 30(b)(6) designee(s)
- 11 and Plaintiff.
- 12 3. Defendant to propound written discovery; and
- 13 4. Additional follow-up written discovery, if necessary.

14 **C. Reasons Discovery Cannot Be Completed Within the Original Deadline**

15 This stipulation is made for good cause and not for the purposes of delay. The parties

16 have begun exchanging dates of availability for the depositions of certain fact witnesses,

17 including Plaintiff, Defendant's FRCP 30(b)(6) designee(s), and at least one of Defendant's claims

18 handlers. Given the witnesses and counsel's availability, and the need to coordinate travel for at

19 least one of the key depositions, it is clear the parties need additional time to conduct the

20 depositions with enough time to serve additional follow-up written discovery, as necessary.

21 Accordingly, the parties respectfully request that the Court modify the Scheduling Order to allow

22 the parties the additional discovery time requested.

23 **D. Proposed Schedule For Completing Remaining Discovery**

24 The parties stipulate and agree to the following discovery schedule:

	<u>Current Deadline</u>	<u>Proposed Deadline</u>
25 Discovery Cut off:	April 13, 2020	July 13, 2020
26 Initial Expert Disclosures:	February 13, 2020	May 13, 2020

1 Interim Status Report: February 13, 2020 May 13, 2020
2 Rebuttal Expert Disclosure: March 16, 2020 June 12, 2020
3 Dispositive Motions: May 13, 2020 August 11, 2020
4 Pretrial Order: June 12, 2020 September 11, 2020

If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

5 Based on the foregoing, the Parties respectively request the Court issue an Order
6 extending the current Scheduling Order to the Discovery Schedule set forth above.

7 Dated this 14th day of January, 2020.

8 REMPFER MOTT LUNDY, PLLC

LEWIS BRISBOIS BISGAARD & SMITH LLP

9 /s/ Joseph N. Mott

/s/ Priscilla L. O'Briant

10 Joseph N. Mott
11 Nevada Bar No. 12455
12 Scott E. Lundy
13 Nevada Bar No. 14235
14 Attorneys for Plaintiff
15 **Nichole Ballesteros**

Robert W. Freeman
Nevada Bar No. 3062
Priscilla L. O'Briant
Nevada Bar No. 10171
Attorneys for Defendant
USAA Casualty Insurance Company

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15 **ORDER**

16 **IT IS SO ORDERED.**

17 1-30-2020

18 Dated: _____



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UNITED STATES MAGISTRATE JUDGE